

### REMARKS

This is in response to the Office Action dated November 23, 2004. Non-elected claims 1-10 have been canceled, without prejudice in view of the Restriction Requirement. New claims 23-32 have been added. Thus, claims 11-32 are now pending.

Applicant notes with appreciation the Examiner's indication that claims 12-14 contain allowable subject matter. In this respect, claims 12 and 14 have essentially been rewritten in independent form. Thus, claims 12-14 and 23-32 are now in condition for allowance.

Claim 11 stands rejected under Section 103(a) as being allegedly unpatentable over the '324 Patent (Lu). This Section 103(a) rejection is respectfully traversed for at least the following reasons.

Claim 11 as amended requires that "the first and second polymer films are alignment films, and the first and second polymer films directly contact the first and second electrodes, respectively; wherein at least a portion of the first conductive layer has a different work function from the second conductive layer, and wherein a variation in potential difference between potential levels of the first and second electrodes right after the device has been exposed to light is about 10% or less of a voltage that is applied to display a grey-scale tone." Thus, the first and second polymer inclusive films are *alignment films* and they *contact* the respective first and second electrodes. The cited art fail to disclose or suggest this.

The aforesaid changes to claim 11 preclude the presence of any other layer (e.g., such as layers 52, 54 and/or 56 in Lu) between the electrodes and the LC layer, and thus prevent the Examiner from relying on the additional layers 52, 54 and/or 56 in Lu to satisfy the parameters required by claim 11. For instance, the changes to claim 11 prevent an argument that layers 38 and 50 are the claimed electrodes because they are both of ITO and thus have the same work

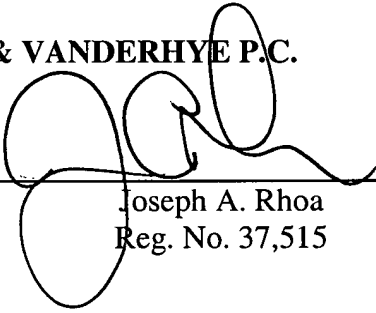
functions. Moreover, the Examiner cannot rely on SiO<sub>2</sub> layer 54 of Lu since it is neither an electrode nor a polymer based layer. In other words, this new language in claim 11 precludes the provision of Lu's layers 52, 54 and 56 in the claimed structure. Thus, it will be appreciated that claim 11 as amended patentably defines over Lu.

It is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Joseph A. Rhoa  
Reg. No. 37,515

JAR:caj  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100